

## WINTER TIRES — THE RULES OF THE ROAD

by Joerg Modellmog

Fall is here and winter is just around the corner. Soon it will be that time of year when you hear holiday carols like *"Snow is falling all around, cars are sliding..."* **Wait a minute! Why are cars sliding? Don't they have winter tires? Do I even need winter tires in Germany?** [Lawyers are actually trained to think like this... I kid you not!]



The issue of winter tires is a hot topic in Germany these days. The German legislature is currently debating whether to establish a legal requirement to have winter tires, or at least all-season tires, on your car during the cold-weather months.

Current German law requires you to have tires on your car that are "adequate for prevailing weather conditions." The police can make an on-the-spot check and determine what is appropriate. So the weather a driver encounters will determine whether snow tires (denoted by a snowflake symbol on the tire sidewall) or all-season tires (denoted by the letters "M/S," for mud and snow or "Matsch und Schnee" in German) are required.

Since some courts have found such regulation to be overly-broad and too vague to justify the imposition of traffic fines (of up to €40) if tires are found to be inadequate, the German legislature is expected to tighten the rules within the next few weeks, before winter hits.

However, operating a vehicle without proper winter equipment can have much more serious legal consequences than a mere traffic fine. Your insurance company could very well deny coverage in the event of an accident, because it is considered to be gross negligence to drive with summer tires in winter.

Whether special snow tires or "M/S" tires are required depends upon weather conditions. In northern Germany, where there is hardly any snow and no mountains, "M/S" or "all-season" tires may work just fine, but in the hilly southern parts of Germany, winter tires (with a snowflake on the sidewall) may be the only practical way to maneuver because of the snow and ice on the ground.

If you operate your vehicle in extreme weather conditions without the proper equipment, you not only endanger yourself, but also others on the road. Also, inadequate tread (*i.e.*, a depth of less than 1.6 mm) will render any winter tires useless and can, in and of itself, constitute a violation of the German Road Traffic Ordinance.

Remember: fresh rubber provides the best traction. The production date of a tire is printed on its sidewall with a four-digit code: the first two digits display the week of production and the last two digits indicate the year. Tires more than three years old should no longer be sold as "new." Buy tires accordingly!

Since the Kaiserslautern area is notorious for snow and sleet in winter, prudence would dictate that drivers use snow or all-season tires. Drivers who fail to do so risk traffic fines and, even worse, potential loss of insurance coverage in the event of an accident. Stay tuned for any stricter rules that may be imposed on short notice by pending legislation. We'll announce any changes on our FaceBook page (see the article on page 3 of this newsletter).

**Bottom line:** when in doubt, always opt for the stricter and presumably safer alternative. When it comes to tires, err on the side of caution! Then you can go out and enjoy the holidays!

